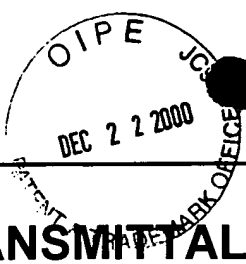


# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)



GAU 1955

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	09/216,594
		Filing Date	December 18, 1998
		First Named Inventor	Whiteker, et al.
		Group Art Unit	1755
		Examiner Name	Michael J. DiVerdi
Total Number of Pages in This Submission	7	Attorney Docket Number	98U020

## ENCLOSURES (check all that apply)

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Preliminary Amendment / Response<br><input type="checkbox"/> Non-Fee Amendment<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Part/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> To Convert a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Additional Enclosure(s) (please identify below): |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

REMARKS

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Or Individual name	Lisa Kimes Jones	Registration No.	41,878
Signature			
Date	December 20, 2000		

## CERTIFICATE OF MAILING

I hereby certify having information and a reasonable basis for belief that this correspondence will be deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

December 20, 2000

Typed or printed name	Tammy L. Hodges		
Signature		Date	December 20, 2000



8/2  
1/3/01  
"PATENT"  
Hem

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>In re</i>	§	Before the Examiner:
APPLICATION of: Whiteker et al.	§	
	§	DiVerdi, Michael J.
SERIAL NO.: 09/216,594	§	Group Art Unit: 1775
FILED: December 18, 1998	§	Attorney Docket No. 98U020
FOR: Olefin Polymerization Catalysts, their Production and Use	§	Houston, Texas
	§	
Honorable Assistant Commissioner for Patents Washington, DC 20231		Date: December 20, 2000

Sir:

**RESPONSE UNDER 37 CFR 1.111**

This is in response to the Office Action mailed September 21, 2000.

In addition to the response, applicants wish to notify the Examiner of an application corresponding to the present application filed on the same day, December 18, 1998 as Ser. No. 09/248,147. Please amend the above-identified application as follows:

**In the Specification**

Page 3, in the structural formula, please delete "R5" and substitute therefor --R<sup>5</sup>--.

Page 4, in the structural formula, please delete "R5" and substitute therefor --R<sup>5</sup>--.

Page 5, in the three occurrences of "R5" in the two structural formulas, please delete "R5" and substitute therefor --R<sup>5</sup>--.

**In the Claims**

a1  
Claim 1 (Once amended) A catalyst system comprising an activator selected from aluminum alkyls, alumoxanes, modified alumoxanes or ionizing activators, and one or more heteroatom substituted phenoxide [group] Group 4 to 10 transition or lanthanide metal compounds wherein the metal is bound to the oxygen of the phenoxide group and provided that:

- a) if more than one heteroatom substituted phenoxide is present it is not bridged to the other heteroatom substituted phenoxide,